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STRATEGIES FOR CRIME PREVENTION AND CONTROL, PARTICULARLY IN URBAN AREAS AND IN THE CONTEXT OF PUBLIC SECURITY

ELIMINATION OF VIOLENCE AGAINST WOMEN

Report of the Secretary-General

Addendum

1. The present addendum brings to the attention of the Commission on Crime Prevention and Criminal Justice additional information provided by Governments as of 31 March 1997, thereby updating the report of the Secretary-General on the elimination of violence against women (E/CN.15/1997/11). It summarizes the replies of 7 States (Belarus, Canada, Egypt, Italy, Tunisia, South Africa and United States of America), bringing the total number of contributing States to 28.

2. In their replies, Governments expressed support for the revised draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women (E/CN.15/1997/11, annex), emphasizing their timeliness and essential role in eliminating violence against women and in addressing gender bias in criminal justice administration. They provided information on the steps taken and the changes made in their countries in recent years, particularly with regard to legislative initiatives. Several issues were raised for consideration in preparing the final version of the draft measures. For the most part, however, those issues were already covered by, and thus would not alter, the revised draft text.

3. Belarus suggested that the following specific additional elements should be incorporated in or covered by the proposed draft measures: reference should be made to government statistics in the provision calling for the gender disaggregation of all relevant data: the term "police" should be replaced by "law enforcement officials"; and the public and non-governmental entities should be more fully involved in violence prevention.

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*E/CN.15/1997/1.

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4. Belarus further reported that it had already enacted legislation to combat violence against women. Its criminal law provisions covered nearly all acts specified in the Declaration on the Elimination of Violence against Women (General Assembly resolution 48/104). Under its new national plan of action and in the elaboration of all legal texts and codes, more severe penalties will be prescribed for violent crimes against the life, health, freedom or dignity of a woman or child.

5. Canada expressed the view that within the scope of the mandate and competence of the Commission, the draft measures should focus on what needed to be accomplished within the field of crime prevention and criminal justice. It was not necessary for the text to address the question of the elimination of violence against women in general terms, as did the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995. Given the limited time at the disposal of the Commission to consider the draft measures, the text might be shortened and geared to the achievement of very practical ends, as the title suggested.

6. In 1996, Egypt promulgated legislation designed to ensure the safety of expectant mothers by restricting the practice of the profession of obstetrics to medical practitioners. An exception was made for persons licensed by the Ministry of Health, who were obliged to comply with regulations established by the Minister of Health. Further legislation enacted in 1996 addressed the status of working women with regard to the provision of child care. A decree issued by the Minister of Health prohibited the circumcision of female children at State hospitals. The Government was actively pursuing a campaign to promote awareness of the dangers of this practice, with a view to "eradicating ... and expunging it from the body of inherited traditions", particularly among the less-educated segments of the population.

7. Italy has enacted legislation on sexual violence, broadening the scope of the previously used term and category of indecent assault. Offences would no longer be considered as having been committed against public morality or decency, but rather against the individual, the minimum penalty for which was increased. Aggravating circumstances would entail higher penalties for victimization of a minor, and group violence would be sanctioned more severely than violence perpetrated by a single individual.

8. South Africa reported on the legislation it had enacted in recent years to combat acts of violence against women. The Prevention of Family Violence Act of 1993, required, *inter alia*, the reporting of cases of violence or other forms of ill-treatment; conviction for marital rape; and issuance of restraining orders against the perpetrator of violence, including the barring of re-entry into the domicile.

9. Tunisia elaborated on the rights accorded to women under its law, which provided for gender equality in the treatment and protection of its citizens. Tunisia considered, however, that the inclusion in the draft measures of a provision for the lodging of complaints not only by the victim but by a third party might counteract legislative efforts to promote gender equality under its legal system.

10. The United States reported that it had enacted legislation introducing far more effective measures to combat all forms of violence against women. Those measures included stiffer penalties for domestic violence and more vigorous pursuit and prosecution of perpetrators, including those who flee across state borders, as well as disclosure and more severe sanctioning of sex offences. It had also initiated action to ensure better protection for children in the provision of child care, including stringent background checks of qualifications of child-care providers. The United States provided a multidisciplinary view of its efforts to eliminate violence against women, including a description of the work of the relevant agencies and general comments on the revised draft measures. It expressed a strong commitment to combating violence against women, having devised a multi-tiered mechanism for implementing many of the draft measures. It supported the revised draft measures and the flexibility that States would be able to exercise in applying elements appropriate to their national circumstances. It could not support provisions that might be inconsistent with the protections found in fundamental United States legal principles ensuring equal protection to all citizens under the law, regardless of gender, ethnic status or religion.